

07-24-00

CPA/1641



030872.0004.CPA1

Patent #20

MB

07/31/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification of this application:

Class _____ Subclass _____

Prior application: 08/900,559

Examiner: J. Hines

Art Unit: 1641

BOX CPA

Commissioner for Patents

Washington, D.C. 20231

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JUL 26 2000

CONTINUED PROSECUTION APPLICATION (CPA) UNDER 37 CFR 1.53(D)

TECH CENTER 1600/2900

This is a Request for filing a Continued Prosecution Application, under 37 CFR 1.53(d) of prior application Serial No. 08/900,559 filed on July 25, 1997 entitled **METHOD OF USE OF ONE STEP IMMUNOCHROMATOGRAPHIC DEVICE FOR STREPTOCOCCUS A ANTIGEN** by the named Inventors, which remains the same for this Continued Prosecution Application:

| | | | |
|---------------------------|------------------------|----------------------------|--------------------------|
| 1. FULL NAME OF INVENTOR | Cheng | Shu-Ching | |
| RESIDENCE AND CITIZENSHIP | (family name) | (first given name) | (middle name) |
| POST OFFICE ADDRESS | Rancho Santa Fe | CA | USA |
| | (city) | (state or foreign country) | (country of citizenship) |
| | 6150 Lago Lindo | RANCHO SANTA FE | CA 92067 |
| | (post office address) | (city) | (state, zip, country) |
| 2. FULL NAME OF INVENTOR | Huang | Ching | |
| RESIDENCE AND CITIZENSHIP | (family name) | (first given name) | (middle name) |
| POST OFFICE ADDRESS | Chula Vista | CA | USA |
| | (city) | (state or foreign country) | (country of citizenship) |
| | 635 Indigo Canyon Road | CHULA VISTA | CA 91911 |
| | (post office address) | (city) | (state, zip, country) |
| 3. FULL NAME OF INVENTOR | Wu | Ming-Shian | |
| RESIDENCE AND CITIZENSHIP | (family name) | (first given name) | (middle name) |
| POST OFFICE ADDRESS | La Jolla | CA | USA |
| | (city) | (state or foreign country) | (country of citizenship) |
| | 2139 Calle Guaymas | LA JOLLA | CA 92037 |
| | (post office address) | (city) | (state, zip, country) |

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345.00 OP



Additional Inventors follow on page 2

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CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

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Express Mail Label No.

July 21, 2000

Date of Deposit

Gretchen Dieckmann

Name of Person Mailing Paper

Signature of Person Mailing Paper

| | | | |
|---------------------------|------------------------|----------------------------|--------------------------|
| 4. FULL NAME OF INVENTOR | Willrodt | Michael | J. |
| RESIDENCE AND CITIZENSHIP | (family name) | (first given name) | (middle name) |
| POST OFFICE ADDRESS | Escondido | CA | USA |
| | (city) | (state or foreign country) | (country of citizenship) |
| | 157 Avacado Crest Lane | ESCONDIDO | CA 92025 |
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| 5. FULL NAME OF INVENTOR | Cunningham | Herbert | Bradfield |
| RESIDENCE AND CITIZENSHIP | (family name) | (first given name) | (middle name) |
| POST OFFICE ADDRESS | Julian | CA | USA |
| | (city) | (state or foreign country) | (country of citizenship) |
| | 6535 Engineers Road | JULIAN | CA 92036 |
| | (post office address) | (city) | (state, zip, country) |
| 6. FULL NAME OF INVENTOR | Fan | Eugene | |
| RESIDENCE AND CITIZENSHIP | (family name) | (first given name) | (middle name) |
| POST OFFICE ADDRESS | La Jolla | CA | USA |
| | (city) | (state or foreign country) | (country of citizenship) |
| | 7813 Esterel Drive | LA JOLLA | CA 92037 |
| | (post office address) | (city) | (state, zip, country) |

The above-identified application in which no payment of Issue Fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

- ☐ Enter the Amendment After Final under 37 CFR 1.116 previously filed on _____ but unentered, in the prior application.
- ☐ A Preliminary Amendment is enclosed.
- ☒ Use the claims as on file in the prior application.

The fees for claims (37 CFR 1.16(b)-(d)) have been calculated as shown below:

| | | | | |
|---|-----------------------|---|--------|-----------------|
| BASIC FILING FEE: | | | | \$690.00 |
| Total Claims | 10 - 20 | = | x \$18 | \$0.00 |
| Independent Claims | 1 - 3 | = | x \$78 | \$0.00 |
| Multiple Dependent Claims | \$270 (if applicable) | | | \$0.00 |
| TOTAL OF ABOVE CALCULATIONS | | | | \$690.00 |
| Reduction by ½ for Filing by Small Entity. Note 37 CFR 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached. | | | | \$345.00 |
| Extension of Time 3 Months (See Below) | | | | \$0.00 |
| TOTAL FEES SUBMITTED HERewith | | | | \$345.00 |

- ☒ A check is enclosed in the amount of \$345.00
- ☐ Charge Deposit Account No. _____ in the amount of _____

Patent

- ☒ The Commissioner is authorized to charge Counsel's Deposit Account No. 50-1273 for any fees required under 37 CFR 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account 50-1273.
- ☒ The Power of Attorney was filed in the prior application Serial No. 08/900,559
- ☒ A small entity statement was filed in the prior application Serial No. 08/900,559, filed on July 25, 1997, which status is still proper, and its benefit under 37 CFR 1.28(a) is hereby claimed.
- ☐ Priority is claimed under 35 U.S.C. 119 based on application(s):
- ☐ The certified copy(s) has been filed in prior application
- ☒ The prior application is assigned of record to: WNTEK DIAGNOSTICS, INC.
- ☒ Request for extension of time to respond is being filed in the prior application to maintain copendence.
- ☒ Customer Number or Bar Code Label

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| Country | | Telephone | | Fax | |

- ☒ Also enclosed: Return Postcard

Respectfully submitted,
Brobeck, Phleger & Harrison LLP

Dated: July 21, 2000

By: Vicki G. Norton
Vicki G. Norton
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